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PECO Agrees to Settle Injured Worker's Suit For Over \$1 Million

BY ASHER HAWKINS

Of the Legal Staff

A power plant security guard who claims she was shocked by stray static electricity after operating a keypad to open a sliding gate while on the job has settled her action against PECO for \$1.65 million, her lawyers say.

Rhonda Eshleman, who worked at the Peach Bottom Nuclear Power Plant in York County, asserted that the electric shock left her with extensive burns on her left arm and rendered her left hand virtually useless, according to court papers in *Eshleman v. PECO Energy Co.*

According to plaintiff's law firm Duffy & Keenan, the settlement also included full waiver of a \$150,000 workers' comp lien.

Eshleman, who had previously worked as a police officer, was hired by Wackenhut Corp. as a security guard at Peach Bottom in December 2001, according to court papers.

In the course of performing a routine patrol one morning in May 2002, Eshleman pulled her SUV up to the sliding gate at one of the plant's substations. She got out to put

her security key into the keypad and open the gate, leaving the vehicle's door open, according to court papers.

As she was putting the key in, she noticed that the SUV's door was being blown shut, and grabbed it to keep it from closing. As soon as she touched the door of the vehicle, which was still running, according to court papers, she felt a burning sensation in her arm, and was knocked back against the SUV.

Eshleman claims she still experiences pain, has not been able to work since the incident and has been advised not to drive. She alleges PECO was aware of the stray electricity problem concerning that particular substation's keypad, as complaints from individuals who said they were shocked by it had been lodged as far back as 1989, according to court papers.

The defense countered that though there had been a number of



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complaints about "nuisance shocks," there had never been any report of shocks of the magnitude described by Eshleman, according to court papers. Many of the injuries Eshleman claimed were caused by the 2002 shock incident, the defense contended, could be attributed to a prior injury she incurred in 1999.

The settlement was reached Feb. 14 after a two-hour pretrial settlement conference before Philadelphia Common Pleas Judge Victor J. DiNubile Jr., Tom Duffy, of the Duffy firm, said.

Experts retained by Eshleman in anticipation of trial included professional engineer Walter Farley of Dawson Engineering in Fairless Hills and neurologist Steven Mandel of Philadelphia.

The defense attorneys in Eshleman, according to court papers, were David White and Dennis Herbert of Marshall Dennehey Warner Coleman & Goggin in Plymouth Meeting.

White did not immediately respond to a call seeking comment, and Herbert declined to comment on the settlement.